

**WEST VALLEY CITY  
PLANNING COMMISSION  
MINUTES**

**August 11, 2004**

The meeting was called to order at 4:00 p.m. by Chairman Harold Woodruff at 3600 Constitution Boulevard, West Valley City, Utah.

**WEST VALLEY CITY PLANNING COMMISSION MEMBERS**

Harold Woodruff, Brent Fuller, Paul Nixon, Jack Matheson, and Terri Mills

**ABSENT:** Karon Lang

**WEST VALLEY CITY PLANNING DIVISION STAFF**

John Janson, Kevin Hooper, Steve Lehman, Steve Pastorik, and Lori Cannon

**WEST VALLEY ADMINISTRATIVE STAFF:**

Nicole Cottle, Asst. City Attorney

**AUDIENCE**

Approximately ten (10) people were in the audience.

**GP-4-2004**

**Moderate Income Housing Plan Update  
West Valley City**

Mr. John Janson presented the application.

Staff is proposing an update to the City's Moderate Income Housing Plan which was originally approved in 1999. After discussing the latest draft with Nicole Cottle following the study session, staff recommends that this application be postponed to allow staff time to address legal issues with the current draft.

There being no discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Cisneros moved for a continuance to allow staff to review legal issues.

Seconded by Commissioner Matheson

**Roll call vote:**

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

**Majority - GP-4-2004 - continued**

**Z-8-2004**

**3581 South 5600 West**

**HEP Development**

**Change from Agricultural zone "A" to Commercial zone "C-2"**

**.66 acre**

Mr. John Janson presented the application.

HEP Development proposes to rezone this property located just south of the Big "O" Tire store. There is one property between the tire store and this proposal which is owned by the Brusckes and used for storage related to the greenhouse business. The intended use is a commercial fast food restaurant, der Weinerschnitzel.

### **STAFF CONCERNS**

1. The proposed layout of the proposal appears to land lock the rear of the property. The overall property is significantly larger.
2. Fast food restaurants are generally difficult to make compatible with existing homes. There is an existing home to the south.
3. The General Plan allows for commercial use at this location.
4. At one time there was an effort combine properties in this area and create a more unified overall development. Obviously, that has not occurred with the pattern of development over the last 10 years. A more unified development would be more beneficial to the community.
5. UDOT has approved the access.

#### **Applicant:**

**Dee Bates**

**7611 South Jordan Landing Blvd., #200**

**Discussion:** Commissioner Matheson confirmed the portion of property being rezoned. Chairman Woodruff questioned the access. John Janson assured the final plan must show how access will be provided. Mr. Dee Bates discussed access and alignment, and how issues of the rear property being landlocked are currently being worked out with adjoining property owners and businesses. He indicated there are two options for accessing the rear property. Mr. Bates said the property would possibly be used for a housing development. He assured the proposed der Weinerschnitzel would not be typical, and should complete what the General Plan has planned for that area. Commissioner Cisneros had concerns about the property being landlocked. Mr. Bates explained an agreement is being worked out with the Brushkey property owners, as well as property owners to the south. He has discussed the development plans with nearby homeowners who have said they do not have a problem with this development. Commissioner Mills asked about the access from the neighborhood to the east. Mr. Bates stated there is 21-feet of landscaping on the south side, and the applicant is proposing 11-feet be set aside for the easement to the rear property. Commissioner Mills wondered if

there was a better option for this property besides fast food and housing. Mr. Bates reminded the property is surrounded by commercial and housing, and asked what else would work for the property. Chairman Woodruff confirmed that issues regarding the rear property and access must be taken care of prior to the development of this property. Commissioner Matheson questioned if an 11-foot access on the south side would be possible, considering the curb cut required by UDOT. He believes the only possible access would be through the paved parking lot. Commissioner Matheson asked if there was a cross access easement, and was told no, there is property which is owned by Brushkeys located between the Big O business. Commissioner Fuller suggested waiting for agreements with Brushkeys and surrounding property owners to be finalized prior to approval. Mr. Bates asked if the Commission would approve the application subject to receiving the agreements.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Mills moved for denial, as the land to the east would be landlocked and difficult to develop.

Seconded by Commissioner Matheson

**Discussion:** Commissioner Matheson wants to see a more expanded development for this area, suggesting the applicant propose additional development.

**Roll call vote:**

Commissioner Cisneros	No
Commissioner Fuller	No
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	No

**Split vote - Z-8-2004 – motion does not pass**

**Discussion:** Chairman Woodruff perceived if this application was continued, the applicant should be able to resolve the issues. Commissioner Nixon stated he does not like the idea of an additional fast food establishment in this area.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Fuller moved for a continuance to allow the applicant time to try to develop the entire site, and obtain agreements with surrounding property owners to make it a more feasible location.

Seconded by Commissioner Matheson.

**Discussion:** Commissioner Cisneros had questions about the agreements being obtained by the applicant. Commissioner Fuller explained that to resolve the land locked situation, agreements should be required. If the property ties into residential, the applicant should show how it would work, and agreements should be obtained showing what the plan is. He was concerned that if the application was passed now, the agreements may not be obtained. Commissioner Fuller believes the Commission should verify the agreements prior to approving this application. Chairman Woodruff agreed that he would like to see how the Brushkey property works with this development. Commissioner Nixon stated he could not visualize housing units on this small lot.

**Roll call vote:**

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	No
Commissioner Nixon	No
Chairman Woodruff	Yes

**Majority - Z-8-2004 – continued**

**Z-9-2004**

**Gordon Beals**

**2976 South 5600 West**

**Zone change from Agriculture A Zone to General Commercial C-2 Zone**

Mr. Kevin Hooper presented the application.

**West Valley City's General Plan recommends general commercial land uses.**

**Introduction:**

This request is for a zone change from Agriculture A to a General Commercial C-2 zone. The property is directly north of the Colt Plaza 2 commercial subdivision. Joe Cunningham was the developer on the commercial subdivision and is the agent for this proposed zone change.

**Issues:**

- A similar zone change request was reviewed by the Planning Commission on May 12, 2004. The proposal at that time included a proposed automobile lube and car wash. The Planning Commission recommended approval but voiced reservations that the proposed use was not the desired use fronting on 5600 West. At the City Council hearing of July 6, 2004, the rezone request was denied. The denial was based on the opinion that the proposed use was not the desirable use on 5600 West and the timing of the rezone request was not appropriate.
- Currently, Joe Cunningham has requested this zone change to General Commercial C-2 without specifying a use.
- The recently enacted 5600 West overlay zone and the proposed amendments create additional design and use restrictions for the properties fronting 5600 West. In particular, the overlay zone prohibits additional fast food restaurants and automotive sales, service and repair.

**Applicant:**

**Joe Cunningham**  
**4139 S. Colt Court**

**Opposed:**

**Steve Johnson**  
**2976 South 5650 West**

**Discussion:** Chairman Woodruff asked if all uses in a 'C-2' zone are conditional. Kevin Hooper replied there is a mixture of both, and in the past, Kevin has shown the Commission individual uses as they are submitted. Commissioner Nixon had questions about Glenn Eagle Drive. Kevin answered that Glenn Eagle Drive is part of the City's Major Street Plan, will be an access road for a nearby subdivision, and act as a frontage road for 5600 West. He explained that the road has not been exactly established at this time. Mr. Joe Cunningham indicated he plans to continue the Colt Plaza II Subdivision, adding three lots to the north. He showed the Commission a drawing of the area, showing the proposed continuation. Joe Cunningham reported UDOT wants to remove all access off of 5600 West, so Glenn Eagle Drive would be the access for all his

developments. He stated within 30 days, Glenn Eagle Drive should be completed into this property. Commissioner Fuller asked if there was a legal right-of-way now. Joe Cunningham explained there is a right-of-way granted, and the applicant is dealing with a title company regarding the right-of-way. He said the actual legal right-of-way shows a five-foot access through the property, and property owners are trying to put in a restrictive easement with the title company. Joe Cunningham assured these are issues that will be addressed. Commissioner Mills asked what type of business is planned for this property. Joe Cunningham replied it would be a continuation of Colt Plaza with the understanding that automobile uses will not be allowed. He explained he needs approval of the zone change to begin leasing procedures, and mentioned he is working with a Ruby Tuesday Restaurant. Once rezoning is approved, he must then work with UDOT for access off of 5600 West. Mr. Steve Johnson owns property next to this lot. He asked the Commission not to permit the zone change until all issues are resolved, specifically the right-of-way issue. Mr. Johnson said he owns horses, has stables and stalls, and a residence at this location. He indicated the right-of-way is in discrepancy, and is being worked out with attorneys. Nicole Cottle mentioned her understanding is the right-of-way issue is on the south side of the property, and suggested it is a civil issue. She stated issues such as right-of-way are handled in the subdivision process. Nicole Cottle reminded this application is to rezone the property, and should not affect the right-of-way issue. Commissioner Fuller asked if any determination made by the Commission today would give anyone an advantage in court. Nicole assured rezoning the property today would create no additional advantage in court. Commissioner Mills questioned if a block wall would be built between the commercial development and Mr. Johnson's property if he chooses to stay at that location. Kevin Hooper replied a wall would be required, but possibly a delay agreement could be created if commercial is eminent on Mr. Johnson's property. Chairman Woodruff asked if the driveway to the commercial property would require a wall. Kevin Hooper answered that the wall issue would be resolved during the subdivision process. He said it depends on the easement, and is a good issue to be resolved.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Matheson moved for approval of the zone change from 'A' to 'C-2' as it is in compliance with the City's General Plan.

Seconded by Commissioner Cisneros.

**Roll call vote:**

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

**Majority - Z-9-2004 - approved**

**ZT-7-2004**

**West Valley City**

**Amendments to Sections 7-9-115 and 7-14-105**

Mr. Steve Pastorik presented the application.

Staff is recommending zoning ordinance amendments to Sections 7-9-115 and 7-14-105. These sections of the zoning ordinance deal with the type of surfacing used for parking areas as well as the maximum amount of hard surfacing allowed in the front yards of residential lots.

The existing language of the ordinance and two options are attached to this analysis. Option one for Section 7-9-115 allows gravel for any parking areas in excess of the minimum spaces required in single-family residential zones. Option two for Section 7-9-115 only allows gravel for parking areas in single family residential zones if they are within the rear yard or a side yard that is not adjacent to a public or private street. Both options also include a minimum standard for gravel and address RV parking.

Option one for Section 7-14-105 increases the limit for hard surfacing in front yards of residential areas from 40% to 50% for lots with duplexes, cul-de-sac lots or lots on major streets needing circular driveways. It also includes gravel in the hard surfacing limit. Option two for Section 7-14-105 is the same as option one except it does not include gravel the hard surface limit since gravel would not be allowed under option 2.



The purposes for proposing amendments are:

- The current ordinance only requires concrete or asphalt for the minimum spaces required, which would be two spaces for a single-family dwelling.
- Duplex lots, cul-de-sac lots and lots on major roads needing circular drives need more flexibility with the amount of allowable hard surfacing.

**Concerned:**  
**Keith Pippin**  
**3636 S. Mannway**

**Concerned:**  
**Arlene Pippin**  
**4113 Mannway**

**Discussion:** Commissioner Nixon asked if Hunter Village Subdivision would meet the proposed requirements. Steve Pastorik explained that yes, Hunter Village will comply with this ordinance, and exceptions are made for cul-de-sac lots. Mr. Keith Pippin is a concerned citizen who mentioned a neighbor that has fully concreted his front yard. He said Mannway Road has many twin homes on it, resulting in residents parking vehicles on lawns. Mr. Pippin indicated he has worked hard to make his lot look good, but believes it is wasted effort when neighbors don't care. He stated parking vehicles on lawns depreciates the property value. Mr. Pippin did not mind the 50% hard surface and 50% landscaping, but suggested it be kept at 60% landscaping and 40% hard surface, and that the ordinance be enforced rigorously. Steve Pastorik replied that Mannway Road is part of a unique subdivision with unusual front yards, but said it is possible to comply (with single car garages) utilizing the 50%-50% plan. He indicated if a twin home placed a double car driveway, there might be problems. A single driveway would work, but if an additional driveway were placed, it would not comply. Arlene Pippin wants to know why additional landscaping is being reduced to create additional parking areas in front yards. Chairman Woodruff assured this ordinance would not result in removing landscaping. Arlene Pippin perceived that is what will happen if you allow gravel parking spots on front yards. She reminded that two and three families often live in single-family homes, with nowhere to park. Commissioner Woodruff indicated the reason the City is proposing this ordinance is because the existing ordinance is not defined enough. This proposed change will help deal with the problem of residents parking on their front lawns. Arlene Pippin wants the percentage of landscaping to be at least 50%. She reported that when her neighbor removed all the landscaping and placed concrete, she contacted Ordinance Enforcement, but they arrived two weeks later. Commissioner Matheson did not want to create a burden on homeowners by forcing them to place concrete or asphalt. He believes a 40% hard surface and 60% landscaping is adequate. Chairman Woodruff asked how cul-de-sacs would be handled. Steve Pastorik noted exceptions should be made for duplexes (which require double car garages; homes with circular driveways; and cul-de-sacs due to limited frontage. He believes typical lots

can continue to be a 40%-60% split. Commissioner Nixon expressed his disapproval of gravel, stating he would prefer homes have concrete. Commissioner Cisneros agreed that he likes concrete or pavement for front driveways, not gravel. He said he prefers the 50% split for residents with three car garages, plus an RV site on the side of the residence. Steve Pastorik assured the majority of homes would fit into the 40%-60% split, with few exceptions. Commissioner Nixon asked if it would be easier for Ordinance Enforcement to enforce, and was told by Steve Pastorik it would be easier to enforce.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Nixon moved for approval of option #2. Chairman Woodruff added that the same requirements be added to section 7-6-307.

Seconded by Commissioner Mills.

**Roll call vote:**

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	No
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

**Majority - ZT-7-2004 - approved**

**S-20-2004  
Hunter Meadows Subdivision  
3510 South 5200 West  
R-1-8 and RB Zones  
8 Lots**

Mr. Joseph Moore presented the application.

**BACKGROUND**

Mr. Clark Taylor is requesting preliminary and final plat approval for the Hunter Meadows Subdivision. The subject property is located at 3510 South 5200 West and is zoned R-1-8 and RB. Residential development is located to the south and west of the proposed subdivision.

The subdivision was continued from the July 14, 2004 Planning Commission hearing in order for the applicant to address 5 concerns expressed by the Planning Commission. Those concerns are as follows:

1. That the applicant demonstrates that the commercial property can be developed with the additional widening of 3500 South.

*The applicant, with assistance from staff, has provided a site plan that illustrates building location, parking and landscaping. The site plan was reviewed during the study session to show that the commercial property can develop in accordance with City standards.*

2. That the applicant provides details regarding a possible fence between the residential and commercial properties.

*The applicant has coordinated this issue with the property owner of the commercial property. They have agreed to jointly install a vinyl fence between the new residential housing and the commercial use to the north.*

3. That the applicant provides more information regarding the storage tanks on the commercial property.

*The applicant has provided a letter from the Department of Environmental Quality. This report indicates that storage tanks do exist, but that they meet with standards and specifications of the Division of Environmental Response and Remediation. A copy of this report will be kept on file in the Planning Office.*

4. How will the new roadway affect the duplex to the south?

*The applicant has explained that the grade elevation for the front portion of the cul-de-sac will not vary substantially and will therefore not require a retaining wall. The street will essentially be the same elevation as the duplex property. The street will slope to the west in order to accommodate storm water. This issue will be further explored as the plans are reviewed by the City Engineering Division.*

5. Will the applicant be building homes? If ground water is encountered at a shallow depth, will the applicant be willing to consider larger dwelling sizes.

*The applicant is not sure if they will build any homes or if they will sell as paper lots. A preliminary soils report indicates that ground water was encountered at a depth of 12.8 feet. This will allow full basements to be constructed.*

**STAFF/AGENCY CONCERNS:**

Fire Department:

- Fire hydrants to be installed in accordance with the Uniform Fire Code.

Granger Hunter Improvement District:

- Project will need to run availability for water, sewer and fire protection.
- Subject to design and review inspections.

Utility Agencies:

- Subject to all standard easement locations.

Public Works:

- Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures.
- Revisions to plat are required.
- Improvements to 5200 West will be required to match the existing improvements as determined by the City Engineering Division.
- Dedication along 3500 South to a 53-foot half width required. Improvements along this section of 3500 South will be required in accordance with UDOT.

Building Inspections:

- Will require an updated soils report prior to plat recordation.

## **ISSUES:**

- The developer is proposing a preliminary and final subdivision consisting of 8 lots. Lot sizes in the residential section range from 8,009 to 9,486 square feet. The average lot size in the subdivision has been calculated at 8,421 square feet. Lot 8 is zoned RB and will contain approximately 31,941 square feet.
- Access to the residential portion of the subdivision will be gained from 5200 West. Property zoned RB will continue to have access from both 5200 West and 3500 South. The subdivision will terminate with a cul-de-sac having a depth of approximately 220 feet. The applicant will be required to coordinate the installation of the new street with the property owner to the southeast. Said coordination shall be to ensure that impacts from the new street will not negatively affect this property owner.
- Improvements to the new cul-de-sac and 5200 West will be in accordance with City Engineering standards. Improvements to 3500 South (if required at this time) will need to be coordinated with UDOT. The developer will need to dedicate an additional 13 feet along 3500 South in order to achieve the projected right-of-way width of 106 feet.
- As with all new subdivision development, there is a concern with the potential of ground water impacts. The applicant has submitted information that indicates that ground water was encountered at a depth of 12.8 feet. However, staff understands that the applicant will be submitting an updated report as well. Said report will be reviewed by the Building Official and City Engineer prior to City Council review.

**Applicant:**  
**Clark Taylor**  
**3174 Barnhill Bay**

**Favored:**  
**Jay Irwin, Greenfest Dev.**  
**11734 S. 1380 W.**

**Favored:**  
**Paul Werrett**  
**2945 Conner Street**

**Discussion:** Mr. Clark Taylor informed the Commission that he has tried to change the use and the look of this property, including adding residential. He currently has a new leasee for the existing building who has cleaned up the lot. Commissioner Mills mentioned the subdivision would be more enjoyable for residents if one lot was eliminated. Mr. Taylor reminded they have met all the requirements for zoning issues, including setbacks. He believes the homes would be more attractive than surrounding homes, as they will be 100% masonry. Mr. Taylor explained the project would not be feasible if not allowed the number of planned lots, as additional funds are required for the roadway and walls. Commissioner Mills asked if the existing trees would remain. Mr. Taylor assured they intend to keep as many of the nice trees as possible, but not the trash

trees. Commissioner Matheson said he did not like the subdivision design. He didn't think three car garages would be possible for four of the lots. Commissioner Matheson indicated typically in a cul-de-sac, the lot lines are kept radial to the center of the circle of the cul-de-sac. He noted the corner lot did not have additional space provided, as it requires an additional side setback. Commissioner Matheson summarized that he would not approve the subdivision the way it currently looks. Mr. Taylor reminded they have met the City's ordinance. Commissioner Matheson acknowledged they are meeting the ordinance, but explained that the City is trying to upgrade the homes in West Valley. He believes the biggest upgrade you could do, would be to have a three-car garage, but there is not enough space for a three-car garage with these lots. Mr. Taylor informed that he has not looked into three car garages, but they are making homes as good or better than the surrounding homes. Commissioner Mills agreed that three-car garages tend to upgrade subdivisions, while keeping vehicles off the lawn.

Mr. Jay Irwin understands the desire for three-car garages, but they are offering nice, affordable homes for the community. He informed that he is currently building 45 units in Highland, starting at \$300,000.00, and not one will have a three-car garage. Mr. Irwin said they are trying to balance marketability with affordability. Commissioner Matheson said typically, cul-de-sac lots would be 15-20% larger than the zoning in that area. Mr. Irwin mentioned the trend with the State is for smaller lots, and less landscaping, due to the lack of water. He perceived big lots do not make good neighbors. Mr. Irwin stated he agrees with Commissioner Matheson on a personal level, but as a society and conscientious builder, lots and landscaping should be scaled down. He was very concerned that a Commissioner would not vote for his proposed subdivision based on the size of the lots, as he meets the City's ordinance. Commissioner Matheson indicated he is not voting for the subdivision due to a poor lot design, ie: bending lot lines to meet the required frontage at the 30-foot setback is a poor design. Commissioner Mills informed the applicant that 60% of West Valley's housing qualifies for moderate-income housing. She said there is enough of 'R-1-8', and the City likes it when developers want to go a step above, not bending property lines to meet the 'R-1-8' zoning. Commissioner Nixon suggested he would rather have smaller lots with less landscaping. Mr. Irwin noted they have taken time with architects to make nice homes and lots, and larger is not necessarily better.

Mr. Paul Werrett perceived the project would not be feasible if less lots are required. He reminded the Commission that the applicant has met all the City's requirements.

Chairman Woodruff liked the idea of three car garages, but if it is a criteria, it should be added to the City's ordinance. Commissioner Cisneros said he did not like the design of the subdivision. Commissioner Nixon and Fuller believe there is a large portion of land with these lots. Commissioner Fuller indicated the applicant is meeting the requirements of an 'R-1-8', and should not be denied by the fact the Commission does not like the design.

He stated the Commission has set up the City's regulations, and they should stick to those regulations.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Nixon moved for approval of the preliminary and final plat for the Hunter Meadows Subdivision subject to a resolution of staff and agency concerns.

Seconded by Commissioner Fuller

**Roll call vote:**

Commissioner Cisneros	No
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

**Majority - S-20-2004 - approved**

**S-23-2004**  
**William Dew Subdivision**  
**3270 South 6400 West**  
**R-1-8 Zone**  
**3 Lots**  
**.65 Acres**

Mr. Steve Lehman presented the application.

**BACKGROUND**

Mr. William Dew, is requesting preliminary and final plat approval for a 3-lot subdivision in the R-1-8 Zone. The subject property was recently rezoned from the A Zone and is conditioned upon a development agreement.

**STAFF/AGENCY COMMENTS:**

Building Division:

- X      Need soils report prior to plat recording.

Granger Hunter Improvement District:

- X      Project subject to all GHID requirements.
- X      West Valley City Fire Department shall determine proper fire protection.

Utility Agencies:

- X      Standard Public Utility Easements required.

Public Works Department:

- X      Authorization required of ditch/water users for any abandonment, relocation, piping or any other modifications to existing ditches or irrigation structures. Approval letters from all water users shall be submitted as it relates to this condition.
- X      Dedication and improvements along 6400 West and 3270 South. Said improvement shall include curb, gutter, sidewalk and asphalt. If damage is evident to existing improvements, the applicant shall replace accordingly.
- X      Revisions to plat required.

**ISSUES:**

- X      The proposed subdivision will consist of 3 lots on approximately .65 acres. Lots range in size from 8,160 to 10,875 square feet. An existing structure presently exists on lot 3 but will be removed for new housing.
- X      As part of the applicant's rezone, and in conjunction with the required development agreement, the developer committed to construct new homes in excess of the City's minimum requirements. Staff has attached the exhibit wherein these items are found.
- X      Access to the subdivision will be gained from 6400 West and from 3270 South.



Street improvements have been installed across these frontages. However, if damage exists or occurs as a result of new construction, the applicant will need to coordinate the replacement of such with the Public Works Department.

- X As with all new subdivision development in West Valley City, the potential for ground water problems exist. The developer will be required to submit a soils report to be reviewed by the City Building Official and Engineering Division. Recommendations from this report will be attached to the subdivision plat.
- X The proposed subdivision will be adjacent to agriculturally zoned property to the north. Although staff is unsure if animals exist on the adjacent property, a note will need to be placed on the plat notifying potential home buyers that this area is adjacent to agriculturally zoned land and may be subject to the every day sounds and odors typically found with such uses. The developer will also be required to fence the northern boundary with a 6-foot chain link fence. If chain link fencing is already in place and is sufficient for this purpose, staff believes this condition should be waived.

**Discussion:** Commissioners commented that this was straightforward application, and the required development agreement will list all the requirements. Commissioner Nixon stated concerns with Ivory Homes and the Stonebrook Subdivision.

There being no further discussion regarding this application, Chairman Woodruff called for a motion.

**Motion:** Commissioner Matheson moved for approval of the preliminary and final plat for the William Dew Subdivision subject to a resolution of staff and agency concerns and those matters noted in the analysis.

Seconded by Commissioner Cisneros

**Roll call vote:**

Commissioner Cisneros	Yes
Commissioner Fuller	Yes
Commissioner Lang	Absent
Commissioner Matheson	Yes
Commissioner Mills	Yes
Commissioner Nixon	Yes
Chairman Woodruff	Yes

**Majority - S-23-2004 - approved**

**PLANNING COMMISSION BUSINESS**

Approval of minutes from July 21, 2004 (Study Session)  
Approval of minutes from July 28, 2004 (Regular Meeting)  
Approval of minutes from August 4, 2004 (Study Session)  
**Approved**

There being no further business, the meeting adjourned at 5:30 p.m.

Respectfully submitted,

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Lori Cannon, Administrative Assistant